

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

JAMES THOR KIRK,

Plaintiff,

v.

No. 22-cv-0854 MIS-KBM

FNU LNU,

Defendant.

ORDER TO CURE DEFICIENCIES

This matter is before the Court on Plaintiff James Thor Kirk's Letter Regarding Civil Claims (Doc. 1) (Letter). Plaintiff is a federal pretrial detainee and is proceeding *pro se*. The Letter contains details about his early life and a list of civil causes of action including cruel and unusual punishment, negligence, slander, and defamation. It is not clear whether Plaintiff intends to file a new civil case or whether he intends for the letter to be included in his criminal docket, Case No. 20-cr-0079 DHU. Plaintiff has filed dozens of *pro se* letters and motions in the criminal case, which contain some similar information.

The Clerk's Office will mail Plaintiff a blank civil rights complaint and a blank *in forma pauperis* motion. If Plaintiff wishes to raise a civil claim or seek money damages, he must file a complaint within thirty (30) days of entry of this Order. By the same deadline, Plaintiff must prepay the \$402 civil filing fee or, alternatively, file an *in forma pauperis* motion along with an inmate account statement reflecting transactions between May 10, 2022 and November 10, 2022. Any civil filings must include this case number (22-cv-0854 MIS-KBM). If Plaintiff does not intend to pursue a civil claim, he need not respond to this Order or take further action. The failure

to timely comply with both directives (*i.e.*, file a civil pleading and address the filing fee) may result in dismissal of this civil action without prejudice, in which case the Court will file the Letter in Plaintiff's criminal case, No. 20-cr-0079 DHU.

IT IS ORDERED that within thirty (30) days, Plaintiff shall: (1) file a civil complaint; and (2) prepay the \$402 filing fee or submit an *in forma pauperis* motion.

IT IS FURTHER ORDERED that the Clerk's Office shall **MAIL** Plaintiff a blank civil rights complaint and a blank *in forma pauperis* motion.


UNITED STATES MAGISTRATE JUDGE